

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of)	
)	
CERTAIN GEL-FILLED WRIST RESTS)	Investigation No. 337-TA-456
AND PRODUCTS CONTAINING SAME)	
)	

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO
RESPONDENT GEMINI INDUSTRIES, INC. ON THE BASIS OF A
CONSENT ORDER; ISSUANCE OF CONSENT ORDER.**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge s (ALJ s) initial determination (ID) terminating the above-captioned investigation as to respondent Gemini Industries, Inc. of Clifton, New Jersey, on the basis of a consent order.

FOR FURTHER INFORMATION CONTACT: Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3096. Copies of the ALJ s ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., D.C. 20436, telephone (202) 205-2000. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission s TDD terminal at (202) 205-1810. General information concerning the Commission may also be obtained by accessing the Commission s internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-Line) at <http://dockets.usitc.gov/eol/public>.

SUPPLEMENTAL INFORMATION:

The Commission instituted this investigation on May 17, 2001, based on a complaint filed on behalf of 3M Innovative Properties Company and Minnesota Mining and Manufacturing Co. of St. Paul, Minnesota, alleging a violation of section 337 of the Tariff Act of 1930 in the importation into the United States, and/or sale in the United States after importation, of gel-filled wrist rests that infringe claims 1, 3, 6, 7, or 8 of U.S. Letters Patent 5,713,544. The Commission named eight respondents in the investigation, including Gemini Industries (Gemini) of Clifton, New Jersey.

On August 1, 2001, complainants and respondent Gemini filed a joint motion pursuant to Commission rule 210.21(a) for an order terminated the investigation as to the Gemini based on a proposed consent order. On August 14, 2001, the Commission investigative attorney filed a response supporting the motion. On October 22, 2001, the presiding ALJ issued an ID (Order No. 6) granting the motion. No party petitioned for review of the ID.

The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.42 of the Commission's Rules of Practice and Procedure (19 C.F.R. § 210.42).

By Order of the Commission.

Donna R. Koehnke
Secretary

Issued: November 13, 2001